

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CAMBRIA COMPANY LLC,

Plaintiff,

Civil No. 1:20-cv-00508-JMB-PJG

v.

Honorable Jane M. Beckering

LAKESIDE SURFACES, INC.,

Defendant.

DECLARATION OF LELAND P. SCHERMER

I, Leland P. Schermer, declare as follows:

A. I am a partner at Marcus & Shapira LLP, and I am outside counsel for Defendant Lakeside Surfaces, Inc. (“Lakeside”).

B. This Declaration is in Support of Lakeside’s Brief in Support of Motion for Spoliation Sanctions Pursuant to Federal Rules of Civil Procedure 26 and 37(c)(1), attaching the following exhibits to this Declaration.

C. Attached hereto as Exhibit 1 is a true and correct copy of the public version of the June 28, 2022 deposition transcript (relevant pages) of Martin Davis, Cambria CEO and owner;

D. Attached hereto as Exhibit 2 is a true and correct copy of the public version of the April 14, 2022, deposition transcript (relevant pages) of Summer Kath.

E. Attached hereto as Exhibit 3 is a true and correct copy of the public version of the March 16, 2022, Deposition Transcript (relevant pages) of Joseph Grzeskowiak.

F. Attached hereto as Exhibit 4 is a true and correct copy of USPTO Federal Filings Records for the D’332 Patent;

G. Attached hereto as Exhibit 5 is a true and correct copy of the Plaintiff's Rule (26) Initial Disclosures of November 2020;

H. Attached hereto as Exhibit 6 is a true and correct copy of an Email dated June 1, 2022.

I. Attached hereto as Exhibit 7 is a true and correct copy of an Email dated June 14, 2022.

J. Attached hereto as Exhibit 8 is a true and correct copy of Cambria's Opening Brief, District Court Case No. 3:21-cv-10092-MAS-LHG (ECF No. 60).

K. Attached hereto as Exhibit 9 is a true and correct copy of an Email dated July 27, 2022.

I declare under the penalty of perjury that the foregoing are true and correct to the best of my belief and knowledge, and that, if called upon to testify, I could and would competently testify as to these facts.

Dated: July 29, 2022

s/ Leland P. Schermer
LELAND P. SCHERMER

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2022, a true and correct copy of the foregoing Declaration was electronically filed and served via operation of the Court's CM/ECF system, which will automatically send e-mail notification of such filing to the attorneys of record entitled to notice who are registered users of ECF.

s/ Leland P. Schermer

Leland P. Schermer